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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/835,535	04/16/2001	Mikhail E. Ghali	165104-600-001	5410

7590 06/21/2004

Jones, Day Reavis & Pogue  
51 Louisiana Avenue, N. W.  
Washington, DC 20001-2113

EXAMINER

BRANT, DMITRY

ART UNIT	PAPER NUMBER
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2655

DATE MAILED: 06/21/2004

13

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/835,535

Applicant(s)

GHALI, MIKHAIL E.

Examiner

Dmitry Brant

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection for claims 1 and 4.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

As per claims 1, 12, and 19, Applicant fails to disclose the specifics of "reducing a text-to-speech" phonetics set in the specification. As a result, one skilled in the relevant art would not be able to understand the reduction process of text-to-speech set solely based on disclosure (specification + drawings). Neither description on page 13 nor the drawing # 6 shed sufficient light on what the author means by "reduction" process for one skilled in the art to understand the exact scope of the claimed invention.

Thus, the Examiner believes that the disclosure is not sufficient to support the "enablement" of the invention and the lack of such disclosure makes the interpretation of the "reduction" process overly ambiguous.

Claims 2-11, 13-18, 20, are rejected because they depend on rejected independent claims 1, 12 and 19.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Specifically, claim 4 recites "step of reducing said maximal set further comprises reducing an automatic speech recognition phonetic set." However, the newly amended claim 1 recites "reducing said maximal set further comprises reducing a text-to-speech phonetics set." Because this limitation was not there in the original claim 1, the two recitations did not interfere. However, now claims 1 and 4 are in conflict because the subject matter of claim 1 is directly incorporated in claim 4. Since reduction of ASR set (claim 4) is not exactly the same as the reduction of TTS set (claim 1), the two reductions potentially contradict each other. As a result, the applicant is required to change the claim language to make sure that claims 1 and 4 do not conflict with each other.

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Henton (6,738,738) teaches "goldenization" process where TTS set is used for speech recognition.

Shaw et al. (6,363,342) teach system where word pronunciation pairs are developed using TTS.

Barnard (6,434,521) teaches using updating pronunciation dictionaries using TTS

Huang et al. (5,933,804) teach using TTS for verification of ASR results.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dmitry Brant whose telephone number is (703) 305-8954. The examiner can normally be reached on Mon. - Fri. (8:30am - 5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talivaldis Ivars Smits can be reached on (703) 306-3011. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Tech Center 2600 receptionist whose telephone number is (703) 305- 4700.

Application/Control Number: 09/835,535  
Art Unit: 2655

Page 5

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6/10/04

*Nguyen Vo*  
6-14-2004

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PRIMARY EXAMINER